

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Docket No.: 10992091-1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Clifford A. McCarthy et al.

Application No.: 09/493,753

Confirmation No.: 2627

Filed: January 28, 2000

Art Unit: 2195

For: DYNAMIC MANAGEMENT OF COMPUTER  
WORKLOADS THROUGH SERVICE LEVEL  
OPTIMIZATION

Examiner: K. Tang

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 8, 2006, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.



11-09-06

IFW

2195

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## PATENT APPLICATION

ATTORNEY DOCKET NO. 10992091-1Inventor(s): **Clifford A. McCarthy et al.**

Confirmation No.: 2627

Application No.: 09/493,753

Examiner: K. Tang

Filing Date: **January 28, 2000**

Group Art Unit: 2195

Title: **DYNAMIC MANAGEMENT OF COMPUTER WORKLOADS THROUGH SERVICE LEVEL OPTIMIZATION**

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment  
☐ New fee as calculated below  
☒ No additional fee  
☐ Other \_\_\_\_\_

- ☐ Petition to extend time to respond  
☐ Supplemental Declaration

Fee\$ \_\_\_\_\_

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	= 0	X \$50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Express Mail Label No.: EV568240572US

Date of Deposit: November 8, 2006

Typed Name: Jan ClevelandSignature: Jan Cleveland

I hereby certify that this is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date  
indicated above and is addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450

Respectfully submitted,

Clifford A. McCarthy et al.

By Michael J. Fogarty, III

Michael J. Fogarty, III  
Attorney/Agent for Applicant(s)

Reg No. : 42,541

Date : November 8, 2006

Telephone : 214-855-8172